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June 5, 2024

Honorable Rukhsanah L. Singh, U.S. Magistrate Judge
United States District Court for the District of New Jersey
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street, Court Room 7W
Trenton NJ 08608

Re: *In re: Johnson & Johnson Talcum Powder Products Marketing, Sales Practices and Products Liability Litigation* – MDL 2738

This correspondence relates to cases attached as “Exhibit A.”

Your Honor:

On Monday, June 3, 2024, the Johnson & Johnson Defendants submitted two letters [Dkt. Nos. 32599 and 32601] addressing cases on their attached Exhibits A [Dkt. Nos. 32599 and 32601-02]. In the first letter [Dkt. 32599] defense counsel states an Order to Show Cause will be filed on July 1, 2024 should any cases attached as Exhibit A continue to fail to produce a Plaintiff Profile Form (“PPF”). In the second letter [Dkt. 32601] defense counsel asks why cases included as Exhibit A should not be dismissed with prejudice for an alleged failure to serve a PPF pursuant to the process set up in the Case Management Order (“CMO”), dated February 13, 2024 [Dkt. 29032]. These letters do not reflect accurate information.

Counsel for Defendants Johnson & Johnson identified the cases identified in Plaintiffs’ Exhibit A, filed by undersigned counsel, as not having complied with the Court’s order. Cases attached as Exhibit A are in compliance and undersigned counsel has submitted PPFs for each case, contrary to assertions of Defendants. Plaintiffs’ cases should not be dismissed, because the attached cases are in compliance with the Court’s order. Plaintiffs are prejudiced by Defendants’ inaccurate reports to the contrary.

Accordingly, Plaintiffs seek entry of an Order that (1) directs Johnson & Johnson to correct the Record in the docket, so as to avoid further prejudice to each Plaintiff; (2) instructs Johnson & Johnson to directly coordinate with Brown Greer for the purpose of updating and/or verifying J&J's own access to the MDL Centrality records; including complete and full content; (3) instructs J&J to meet and confer with the undersigned counsel if J&J contends the attached claims are not contained within the portal; and whatever further relief the court deems just and appropriate.

Thank you for your consideration of these matters.

Dated: June 5, 2024

Respectfully submitted,

/s/ Rhett A. McSweeney

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